

**BEFORE THE ADJUDICATING OFFICER, REAL ESTATE
REGULATORY AUTHORITY, PANCHKULA (HARYANA).**

Complaint No. RERA-PKL-679 of 2018

Richa Nagi.

...Complainant

Versus

Sanjeev Dhingra.

...Respondent.

Date of hearing: 13.12.2018. (1st Hearing).

Present:- Shri Ravinder Singh Nagi on behalf of complainant.
None for respondent.

ORDER:-

The complainant is basically seeking refund of the amount along with interest for the delay on the part of the promoter to deliver the possession of the flat agreed to be purchased. It is stated that the promoter was required to deliver the possession within 36 months in terms of the buyer's agreement executed on 09.12.2010 and that he has not yet completed the project.

2. The jurisdiction of the Adjudicating Officer can be invoked only to award compensation and not for the purpose of granting refund of the amount already paid to the promoter who has failed to complete the project. So, the complainant is directed to approach the Real Estate Regulatory Authority, Panchkula (in




short RERA, Panchkula), for the relief of refund and the interest on the paid amount for the delayed period.

3. Although the complainant has also made a prayer for compensation on the ground of his harassment but she has nowhere explained in the pleading as to what kind of harassment she has suffered. During arguments, the complainant has explained that she has been harassed because she has been deprived of the use of money which the respondent had already received. The RERA Authority at the time of dealing with a prayer for the refund of the amount will also have jurisdiction to award interest on the paid amount for the delayed period. Viewed in prospective, the kind of compensation being prayed in the form of interest also lies within the jurisdiction of RERA Authority

4. Consequently the complaint is dismissed being not maintainable for the reason that the issues raised therein are liable to be adjudicated by the RERA Authority. However, but the complainant is given a liberty to file a fresh complaint before the Authority.

5. File be consigned to the record room.


Anil Kumar Panwar
Adjudicating Officer.